

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JOEL HERRERA,

Petitioner,

19 **CIVIL** 5321 (LGS)

-against-

**JUDGMENT**

MICHAEL CAPRA,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated October 23, 2020, the Petition is DENIED in its entirety. As Petitioner has not made a substantial showing of the denial of a constitutional right, no certificate of appealability will issue pursuant to 28 U.S.C. § 2553(c); accordingly, the petition is dismissed and the case is closed.

**DATED:** New York, New York  
October 26, 2020

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**

*K. mango*

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**Deputy Clerk**